



Patent US 232

Attorney Docket 612,404-384

[formerly Docket 267/156]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**YING HUANG et al.**

Serial No. 10/072,660

Filed: February 6, 2002

For: DIELECTROPHORETIC SEPARATION &  
IMMUNOASSAY METHODS ON ACTIVE  
PROGRAMMABLE DEVICES

Group Art Unit: 1753

Examiner: Alan D. Diamond

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As requested in the Office action mailed on August 16, 2004, applicants submit herewith a copy of the references that were cited in the Information Disclosure Statements mailed on April 10, 2003 and January 23, 2004. Copies of the PTO Form 1449's are also attached for the examiner's convenience.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO-1449 provides a listing of documents that may be relevant to the subject application.

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

Date of Deposit  
IR1:1058019.1

9-16-04  
Denise Doss

It is requested that the Examiner fully consider the art cited in the accompanying Form 1449, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

Copies of each of the "Foreign Patent Documents" and "Other Documents" listed on the attached Forms PTO-1449 are enclosed herewith.

Many of the Foreign Patent Documents are in a language other than the English language. A concise explanation of relevance is given below.

**DE 2051715A:** Separating chamber for continuously deflection electrophoresis in a buffer flow, with inlets and outlet for the electro-buffer, the chamber buffer and the substance to be separated, is arranged so that the separating chamber between the electrodes is not flat in cross-section, but has one or more angles or curves in it. Specific the separation chamber is built up of an internal block, external block and electrode block clamped together with seals and electrode membranes between the electrode block and the other two. The arrangement enables the chamber to be varied in its dimensions.

**JP 55-152027 A:** PURPOSE: To obtain a high quality reproducing information recorded carrier having a transcribe signal covering a layer capable of reproducing both sides by a method wherein radiation cured resin is injected under pressure into a clearance between a metal mold and a backing supporter supported by a push plate capable of vacuum sucking through a central part of the metal mold. CONSTITUTION: A backing supporter 5, sucked on the sucking groove 2 of a concave push plate 1 so that information signal zones on the transcribe signal covering layer 6 are not broken, is supported with a specified clearance 16 so that it does not touch the

metal mold 8, and a specified quantity of a radiation cured resin 7 is injected into the clearance 16 through an injection hole 11 provided on a centering axis 10 in a center of an information recorded mold 8. Then, an air cylinder 13 is operated to fill the resin 7 into the clearance 16 wholly and press it up to a specified uniform layer thickness by the supporter 5, thereafter, radiant rays 18 is irradiated through the push plate 1 and the resin 7 is cured.

**JP 56-167419 A: PURPOSE:** To obtain the titled device, in which a resin injecting hold coated with an ultraviolet shieling material and an air vent with a valve device are mounted at the fixed locations of the second mold transmitting ultraviolet rays and which can acquire a recording carrier with no strain, etc. in short time, economizing the material cost, etc.

**CONSTITUTION:** A stamper 31 is mounted to a drag 1 by means of a mounting member 8, and sucked under vacuum and fast stuck and fixed, a cope 11 and an ultraviolet irradiating device 21 are let fall and the cope 11 and the drag 1 are contacted by proper pressure. A disc molding space taking discoid shapes of the concave sections of the stamper 31 is sucked under vacuum by actuating a valve device 14 of an air vent 13, the disc molding space is brought to a vacuum condition and the vent 13 is closed, ultraviolet hardening type resin is injected through a resin injecting hold 12, shutters 23 are opened and ultraviolet rays are irradiated. The shutters 23 are closed after resin hardens, the cope 11 and the ultraviolet irradiating device 21 are elevated and a molded disc is extracted from the stamper 31.

**JP 59-215838 A: PURPOSE:** To improve the safety enabling the prevention of possible ozone and others by introducing ultraviolet rays into a cavity core with an optical fiber from an ultra violet ray source provided separate from the cavity core to irradiate a molding material.

**CONSTITUTION:** An ultraviolet ray hardening molding material 14 is injected into a die 1 from

an injection molding machine 13 to fill the space between a cavity core 5. Then, ultraviolet rays irradiate the cavity 4 and the cavity core 5 separately via an optical fiber 6 from a ultraviolet ray irradiation source 7. The ultraviolet rays are irradiated on the molding material filled between the cavity and cavity core being reflected on reflection layers 8 and 9 to solidify the molding material quickly. The molding thus solidified is released from the die by sticking out an ejector pin 10 from the cavity core 5 at the opening of the die.

**JP 59-227131 A:** PURPOSE: To contrive the reduction of the cost of resin sealing by using molding resin of ultraviolet-curing type for sealing resin so as to selectively cure only the molding resin of ultraviolet-curing type to be poured in the cavity. CONSTITUTION: The built-up body of a transistor in which a transistor element 2 is bonded to a substrate supporting part 1 of the lead frame and further connection by metal thin wires has been completed is arranged between the upper and lower molding dies 3 and 4. Next, the ultraviolet-curing resin 13 is poured into the cavity 7 through a molding resin supply hole 11. After that, the sealing molds are irradiated with the ultraviolet rays as indicated by the arrows. As the resin layers 9 and 10 of the molding dies 3 and 4 consist of the resin of ultraviolet-transparent type, the ultraviolet rays penetrates through said layers 9 and 10 to reach the cavity 7. Accordingly, only the resin poured in the cavity 7 is subjected to curing reaction and is cured. In this manufacturing method, there is no waste of molding resin, and heating of the resin and of the sealing molds is unnecessary so that improvement of operation efficiency and reduction of the cost of resin sealing can be contrived.

**JP 01163049 A:** PURPOSE: To obtain a disk without using a disc base plate, by a method wherein an upper mold composed of a transparent plate and a stamper stand having a

resin outflow port provided to the upper surface thereof are arranged in opposed relationship so as to be able to relatively approach and separate each other and a light emitter is provided above the upper mold while the upper mold is made finely moveable up and down with respect to the upper mold base for supporting the upper mold. CONSTITUTION: An upper mold 1 is composed and engaged with a ring-shaped upper mold frame 11 made of a metal. A thread stripe 12 is formed to the outer periphery of the upper mold frame 11 and screwed with the thread stripe 14 on the inner peripheral surface of the rotary ring 13 incorporated in an upper mold base 10. A tooth shape 16 is formed to the outer peripheral surface of the rotary ring 13 to be meshed with a gear 15. When the gear 15 is rotated by operating a motor 17, the rotary ring 13 is rotated, and the upper mold frame 11 and the upper mold 1 are finely moved up and down by the action of the thread stripes 12, 14. An ultraviolet ray irradiation lamp 9 is provided above the upper mold 1. A resin passage 5 piercing in a length direction and opened upwardly at the upper end thereof is provided to the interior and the lower end thereof is connected to a resin feeder 15 and a hose 15. A resin upwardly flows out from one center place.

**JP 02292013 A:** PURPOSE: To manufacture efficiently a resin molding having excellent dimensional accuracy or mechanical strength by press-casting photopolymerization resin into cavities formed in a male and female mold made up of a transparent material, and introducing and irradiating photopolymerization irradiating light into the cavity from the outside. CONSTITUTION: Photosetting resin 6 is inputted into a photosetting resin kneading supplier 7, and then press-casted into a cavity 5 formed in a fixed side molding mole 4a and movable side transparent molding mold 4b through a cylinder 1 and nozzle 3 by means of a screw 2. Next, visible light produced by halogen lamps is irradiated to the photopolymerization resin 6 within

the cavity 5 through a reinforced glass 4c and movable transparent molding mold 4b, and the movable side molding mold 4b is withdrawn for opening the molding mold, and thus a polymerized and cured photosetting resin molding is taken out thereof. By employing photopolymerization resin, a molding can be obtained, which can be injection-molded at low temperature and has excellent dimensional accuracy. And, since a heater in the screw and a cooling pipe in the mold are now required, the structure of the molding apparatus can be simple and small in size.

**USSR 434985:** The device for divisions of high-molecular biological substances.

**USSR 616568:** Apparatus for electro-phoretic separation of substances.

This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment of fees to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: September 15, 2004

By Diane K. Wong  
Diane K. Wong  
Reg. No. 54,550  
Attorneys for Applicants

DKW/dnd

**34263**  
PATENT TRADEMARK OFFICE  
O'Melveny & Myers LLP  
114 Pacifica, Suite 100  
Irvine, CA 92618-3315  
(949) 737-2900



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Denise Doss

It is not believed that any fees are due in connection with this submission. However, if  
the Commissioner deems otherwise, please charge Deposit account no. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: September 16, 2004 By Diane K. Wong  
Diane K. Wong  
Reg. No. 54,550  
Attorneys for Applicants

DKW/dnd

**34263**  
PATENT TRADEMARK OFFICE  
O'Melveny & Myers LLP  
114 Pacifica, Suite 100  
Irvine, CA 92618-3315  
(949) 737-2900



612404-384  
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1753

(Use several sheets if necessary)

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	3,346,479	10/10/1967	Natelson	204	301	04/09/1964
	3,375,187	03/26/1968	Buchler	204	301	05/13/1965
	3,533,933	10/13/1970	Strauch	204	180	04/01/1968
	3,539,493	11/10/1970	Dorman	204	299	08/31/1967
	3,616,454	10/26/1971	Levy et al.	204	299	03/13/1969
	3,640,813	02/08/1972	Nerenberg	204	299	06/09/1969
	3,697,405	10/10/1972	K. Butter et al.	204	275	11/03/1969
	3,773,648	11/20/1973	Van Welzen et al.	204	299	10/25/1972
	3,791,950	02/12/1974	Allington	204	299	02/14/1972
	3,902,986	09/02/1975	Nees	204	299	04/23/1973
	3,980,546	09/14/1976	Caccavo	204	299	06/27/1975
	4,111,785	09/05/1978	Roskam	204	180	05/16/1977
	4,326,934	04/27/1992	Pohl	204	547	12/31/1979
	4,390,403	06/28/1983	Batchelder	204	547	07/24/1981
	4,441,972	04/10/1984	Pohl	204	180	04/08/1983
	4,479,861	10/30/1984	Hediger	204	180	07/19/1983
	4,661,451	04/28/1987	Hansen	435	174	02/06/1984
	4,699,706	10/13/1987	Burd et al.	204	301	05/30/1986
	4,787,963	11/29/1988	MacConnell	204	180	05/04/1987
	4,877,510	10/31/1989	Chen	204	299	10/25/1988
	4,881,107	11/14/1989	Matsushita	357	23.4	06/29/1988
	4,908,112	03/13/1990	Pace	204	299	06/16/1988
	4,971,670	11/20/1990	Faupel et al.	204	182.8	04/08/1988

## EXAMINER:

Kaj K. Olsen

## DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	5,085,756	02/04/1992	Swedberg	204	299	08/21/1990
	5,126,022	06/30/1992	Soane et al.	204	180	02/28/1990
	5,139,637	08/18/1992	MacConnell	204	299	03/13/1991
	5,151,189	09/29/1992	Hu et al.	204	635	09/17/1990
	5,161,165	09/29/1992	Huynh	204	299	04/25/1990
	5,202,010	04/13/1993	Guzman	204	299	08/28/1991
	5,209,831	05/11/1993	MacConnell	204	299	06/14/1991
	5,217,593	06/08/1993	MacConnell	204	299	07/30/1992
	5,269,931	12/14/1993	Hu et al.	210	635	08/20/1991
	5,296,114	03/22/1994	Manz	204	180.1	11/30/1992
	5,340,499	08/23/1994	Shukla	204	180	10/23/1992
	5,344,535	09/06/1994	Betts et al.	204	183.1	04/27/1993
	5,376,249	12/27/1994	Afeyan et al.	204	180	11/25/1992
	5,382,511	01/17/1995	Stapleton	435	6	08/24/1992
	5,445,934	08/29/1995	Fodor et al.	435	6	09/30/1992
	5,434,049	07/18/1995	Okano	435	6	02/24/1993
	5,451,500	09/19/1995	Stapleton	435	6	03/03/1992
	5,527,670	06/18/1996	Stanley	435	6	08/09/1994
	5,569,367	10/29/1996	Betts et al.	204	547	01/27/1995
	5,589,047	12/31/1996	Coster et al	204	450	04/05/1994
	5,605,662	02/25/1997	Heller et al.	422	68.1	11/01/1993
	5,632,957	05/27/1997	Heller et al.	422	68.1	09/09/1994
	5,653,859	08/05/1997	Parton et al.	204	450	11/20/1995

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	5,653,939	08/05/1997	Hollis et al.	422	50	08/07/1995
	5,795,457	08/18/1998	Pethig et al.	204	547	06/05/1995
	5,814,200	09/29/1998	Pethig et al.	204	547	09/26/1995
	5,849,486	12/15/1998	Heller et al.	435	6	09/27/1995
	5,858,192	01/12/1999	Becker et al.	204	547	10/18/1996
	6,017,696	01/25/2000	Heller	435	6	07/07/1994
	6,054,270	04/25/2000	Southern	435	6	09/09/1997
	6,071,394	06/06/2000	Cheng et al.	204	547	01/30/1998
	6,099,803	08/08/2000	Ackley et al.	422	68.1	02/20/1998
	6,113,768	09/05/00	Fuhr et al.	204	643	09/09/1996
	6,280,590	08/28/2001	Cheng et al.	204	463	04/13/2000
	6,309,601	10/30/2001	Juncosa et al.	422	68.1	05/01/1997
	6,335,161 B1	01/01/2002	Martin et al.	435	6	02/25/1998

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	EP 0047645 B1	11/28/1984	EP (Kashihara et al.)			
	EP 0243501 A1	11/04/1987	EP (Saeda et al.)			
	JP 55-152027 A	11/27/1980	JP (Keisuke et al.)			
	JP 56-167419 A	12/23/1981	JP (Toshiji et al.)			
	JP 59-215838 A	12/05/1984	JP (Hideo et al.)			
	JP 59-227131 A	12/20/1984	JP (Hiroyuki et al.)			
	JP 01163049 A	06/27/1989	JP (Satoshi et al.)			
	JP 02292013 A	12/03/1990	JP (Hidekazu et al.)			
	USSR 434985	01/21/1975	USSR			

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	USSR 616568	07/25/1978	USSR			
	WO 01/13126 A1	02/22/2001	PCT (Heller et al.)			

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	Camag, Inc. Product Literature
	Edman, C.F. et al., "Electric field directed nucleic acid hybridization on microchips", Nucleic Acids Research, Vol. 25, No. 24, pp. 4907-4914, 1997.
	Fuhr et al., Positioning and Manipulation of Cells and Microparticles Using Miniaturized Electric Field Traps and Travelling Waves; Sensors and Materials, Vol. 7, No. 2 (1995) 131-146
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	Scanning Laser Microscopy Lab, Web Site print-out, <a href="http://www.science.uwaterloo.ca/research_groups/confocal">http://www.science.uwaterloo.ca/research_groups/confocal</a> (1997)
	Sosnowski, R. et al., "Rapid determination of single base mismatch mutations in DNA hybrids by direct electric field control", Proc. Natl. Acad. Sci. USA, Vol. 94, pp. 1119-1123, February 1997.
	Tony Wilson and Colin Sheppard, "Theory and Practice of Scanning Optical Microscopy", Academic Press, 1984 (ISBN-0-12-757760-2)
	Wang et al., "Dielectrophoretic Manipulation of Particles," IEEE Transactions on Industry Applications, Vol. 33, No. 3 (May/June 1997)
	Wang, X., "A Unified Theory of Dielectrophoresis and Travelling Wave Dielectrophoresis", J. Phys. D: Appl. Phys., Vol. 27, pp. 1571-1574, 1994.
	Washizu, M., "Molecular Dielectrophoresis of Biopolymers", IEEE Trans. Industry Applicat., Vol. 30, pp. 835-843, 1994.

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	US-3627137	12/71	Bier	210	321	10/68
	US-4617102	10/86	Tomblin et al	204	299	03/85
	US-4737259	04/88	Ogawa et al	204	299	12/86
	US-4936963	06/90	Mandecki et al	204	182.8	05/89
	US-5078853	01/92	Manning et al	204	299	03/91
	US-5427664	06/95	Stoev et al	204	182.3	07/93
	US-5593580	01/97	Kopf	210	321.75	03/95
	US-5728267	03/98	Flaherty	210	321.67	11/94
	US-6048690	04/00	Heller et al	435	006	05/97
	US-6051380	04/00	Sosnowski et al	435	006	12/97

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	DE 2051715A	04/72	Germany (Max Planck Ges)			
	GB 1359944A	07/74	GB (Miles Labs)			
	GB 2118975A	11/83	GB (Nishizawa)			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	CHENG, J., et al. "Preparation and Hybridization Analysis of DNA/RNA From E.coli On Microfabricated Bioelectronic Chips", Nature/Biotechnology, 16, pp. 541-546 (1998)
	GILLES, P.N., et al. "Single Nucleotide Polymorphic Discrimination By An Electronic Dot Blot Assay On Semiconductor Chips", Nature/Biotechnology v. 17, #4, pp. 365-370 (1999)
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	HUANG, Y., et al. "Electric Manipulation of Bioparticles and Macromolecules on Microfabricated Electrodes" Analytical Chemistry, v.73, n.7, pp. 1549-1559 (2001)

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Not Yet Assigned

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FORM PTO-1449

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MANZ, A., et al., "Miniaturized Total Chemical Analysis System: A Novel Concept for Chemical Sensing" Sensors and Actuators B1, pp. 244-248 (1990)

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